

Transmittal of Divisional Patent Application for Filing*Certification Under 37 C.F.R. §1.10 (if applicable)***EL 530 373 923 US**

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December 18, 2000

Date of Deposit

I hereby certify that this application, and any other documents referred to as enclosed herein are being deposited in an envelope with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Deborah H. Brockmeyer

(Print Name of Person Mailing Application)



(Signature of Person Mailing Application)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Schultz *et al.*

EXAMINER: unassigned

SERIAL NO.: not yet assigned

ART UNIT: unassigned

FILED: concurrently herewith

**FOR: PLASMON RESONANT PARTICLES,
METHODS AND APPARATUS****Preliminary Amendment**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination of the above application, please amend the application as follows:

In the Specification:

On page 1, line 3, following the title, please replace "This application claims priority under 35 U.S.C. §120 to Provisional Application Serial No. 60/038,677, filed February 20, 1997, entitled "Preparation and Use of Plasmon Resonant Particles", which is hereby incorporated by reference in its entirety." with --This application is a division of copending application Serial No. 09/027,048, filed February 20, 1998, which claims priority to U.S. Provisional Application Serial No. 60/038,677, filed February 20, 1997, now abandoned, both of which are hereby incorporated by reference in their entirety.--

In the Claims:

Please cancel claims 1-18, 30-39, and 40-56, without prejudice.

On page 63, line 26, Claim 19, please delete "for use in the method of claim 1,".

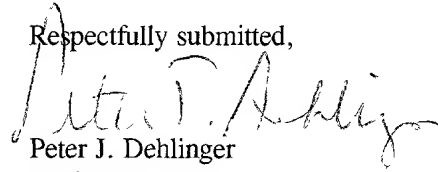
REMARKS

Entry of this preliminary amendment prior to examination is respectfully requested. By this Amendment, claims 1-18, 30-39 and 40-56 have been canceled and claims 19-29 are pending.

No new matter is added by any of the amendments.

No further fees are believed necessary with this communication. However, the Commissioner is hereby authorized and requested to charge any deficiency in fees herein, or credit any overpayment, to Deposit Account No. 04-0531.

Respectfully submitted,



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